



**IT IS HEREBY ADJUDGED and DECREED that the  
below described is SO ORDERED.**

**Dated: October 16, 2018.**

*Tony M. Davis*

**TONY M. DAVIS  
UNITED STATES BANKRUPTCY JUDGE**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>In re:</b>	)	<b>Chapter 11</b>
<b>Trinity River Resources, LP</b>	)	<b>Case No. 16-10472 (TMD)</b>
<b>Debtor.</b>	)	
<hr/>	)	
<b>TRINITY RIVER RESOURCES, LP,</b>	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Adv. No. 17-01090 (TMD)</b>
<b>MATTHEW J. TELFER, BBX OPERATING, LLC, KODIAK RESOURCES, INC., BORDER TO BORDER EXPLORATION, LLC, BORDER TO BORDER #1, LP AND JOHN GAINES,</b>	)	
<b>Defendants.</b>	)	

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**AGREED ORDER ON DEFENDANT'S MOTION TO PARTIALLY  
QUASH SUBPOENA TO PRODUCE DOCUMENTS**

Came on for consideration the Defendant's Motion to Partially Quash Subpoena to Produce Documents (the "Motion") (Dkt. No. 38) which was filed in response to a subpoena (the

“Subpoena”) that Plaintiff served on Bracewell LLP (“Bracewell”) as the former counsel to Trinity River Resources, LP (the “Debtor”). It is, therefore,

ORDERED that Bracewell shall only produce documents (redacted to exclude non-Debtor matters) relating to matters on which Bracewell advised or represented the Debtor in responding to the Subpoena; and it is further

ORDERED that the rights of all parties as to whether Bracewell advised or represented the Debtor on any particular matter are preserved and any disputes relating to whether Bracewell advised or represented the Debtor on any particular matter shall be heard by the Court on further notice and motion.

AGREED AND ENTRY REQUESTED BY:

Waller Lansden Dortch & Davis, LLP

By: /s/ Mark C. Taylor  
Mark C. Taylor  
State Bar No. 19713225  
100 Congress Avenue, Suite 1800  
Austin, Texas 78701  
[Mark.taylor@wallerlaw.com](mailto:Mark.taylor@wallerlaw.com)  
Mark C. Taylor  
Waller Lansden Dortch & Davis LLP  
100 Congress Avenue, 18<sup>th</sup> Floor  
Austin, Texas 78701  
(512) 685-6400  
(512) 685-6417 (facsimile)

AGREED AS TO FORM:

By: /s/ Thomas Labuda  
Thomas Labuda  
Sidley Austin LLP  
Counsel for Liquidating Trustee

Trinity River Resources, LP,  
Plaintiff

Adv. Proc. No. 17-01090-tmd

BBX Operating, LLC,  
Defendant

## CERTIFICATE OF NOTICE

District/off: 0542-1

User: boydl  
Form ID: pdfintp

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Oct 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 18, 2018.

aty +Thomas A. Labuda, 1000 Louisiana Street Ste 6000, Houston, TX 77002-6004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
ust +E-mail/Text: ustpregion07.au.ecf@usdoj.gov Oct 16 2018 23:51:28  
United States Trustee - AU12, United States Trustee, 903 San Jacinto Blvd, Suite 230, Austin, TX 78701-2450

TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 18, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 16, 2018 at the address(es) listed below:

Duston K. McFaul on behalf of Plaintiff Trinity River Resources, LP dmcfaul@sidley.com, txe filing notice@sidley.com

Mark Curtis Taylor on behalf of Defendant Matthew J. Telfer mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Mark Curtis Taylor on behalf of Defendant Kodiak Resources, Inc. mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Mark Curtis Taylor on behalf of Defendant John Gaines mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Mark Curtis Taylor on behalf of Defendant Border to Border Exploration, LLC mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Mark Curtis Taylor on behalf of Defendant BBX Operating, LLC mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Mark Curtis Taylor on behalf of Defendant Border to Border #1, LP mark.taylor@wallerlaw.com, tammy.greenblum@wallerlaw.com; annmarie.jezisek@wallerlaw.com

Michael Fishel on behalf of Plaintiff Liquidating Trustee (John T. Young, Jr.) mfishel@sidley.com, michael-fishel-4347@ecf.pacerpro.com

Michael Fishel on behalf of Plaintiff Trinity River Resources, LP mfishel@sidley.com, michael-fishel-4347@ecf.pacerpro.com

TOTAL: 9